



PATENT

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No.: 10/646,434 )  
Filed: August 22, 2003 )  
For: BREATHING ASSISTANCE )  
APPARATUS )  
Applicant: OLSEN et al. )  
Examiner: Aaron J. Lewis )  
Art Unit: 3743 )  
Attorney Ref: 1171/40069B/112B )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 15, 2004  
Date

Gilmary E. Sexton  
Gilmary E. Sexton

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant submits the present Supplemental Information Disclosure Statement and Form PTO/SB/08A.

Applicants hereby advise the Examiner of corresponding United States patent application Serial No. 10/495,070, filed on May 5, 2004.

This Supplemental Information Disclosure Statement is being filed after the receipt of the first Office Action but before the receipt of the Notice of Allowance on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

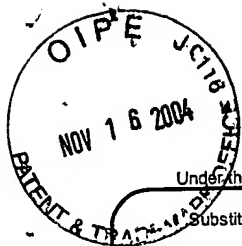
In accordance with 37 C.F.R. §1.17(p), Applicant submits a check for \$180 as the petition fee. If this check is lost or insufficient, please charge Account No. 20-1495.

Respectfully submitted,

Dated: Sept. 15, 2004

By: 

Raiford A. Blackstone, Jr., Reg. No. 25,156  
Linda L. Palomar, Reg. No. 37,903  
Trexler, Bushnell, Giangiorgi,  
Blackstone & Marr, Ltd.  
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Chicago, Illinois 60603  
(312) 704-1890



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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

## Complete if Known

Application Number	10/646,434
Filing Date	August 22, 2003
First Named Inventor	Gregory James Olsen
Art Unit	3743
Examiner Name	Aaron J. Lewis
Attorney Docket Number	1171/40069B

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (Micro unit)			
		US- 5097837	03-24-1992	Izumi	
		US- 5752510	05-19-1998	Goldstein	
		US- 5735272	04-07-1998	Dillon et al.	
		US- 5533506	07-09-1996	Wood	
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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP 1163924	12-19-2001	Gradon et al.		
		WO 87/03704	06-18-1987	Timmons et al.		
		AU 156493	01-24-1952			

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> F or Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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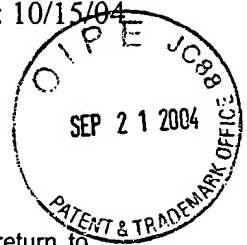
Case 112B  
1171/40069B

September 15, 2004  
RAB/LLP/tes

Serial No.: 10/646,434  
Filed: August 22, 2003  
For: BREATHING ASSISTANCE APPARATUS  
Applicant: Olsen et al.

Enclosed: **INFORMATION DISCLOSURE**; 7 cited references; A check in the amount of \$180.00; Certificate of First Class Mailing, and this postcard.

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Chicago, Illinois 60603

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**TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.**





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Olsen et al. )  
Serial No.: 10/646,434 )  
Group Art: 3743 )  
For: BREATHING )  
ASSISTANCE APPARATUS )  
Filed: August 22, 2003 )  
Atty. Docket No.: 1171/40069B )  
112B )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450, on November 25, 2003.

*Tiffany E. Sexton*  
Tiffany E. Sexton

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Supplemental Information Disclosure Statement and the attached Form PTO-1449. Copies of the listed references are included herewith.

This Supplemental Information Disclosure Statement is being filed before receipt of the first Office Action on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 CFR §1.97, the presentation of this information shall not be construed as a representation that a search has been made or that no other material information as defined in 37 CFR §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56.

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Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: Jan. 25, 2013

By: 

Raiford A. Blackstone, Reg. No. 25,156  
Linda L. Palomar, Reg. No. 37,903  
Trexler, Bushnell, Giangiorgi,  
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Chicago, Illinois 60603  
(312) 704-1890

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SERIAL NO. 10/646,434

**APPLICANT:** Olsen et al.

(Use several sheets if necessary)

**FILING DATE:**  
August 22, 2003

**GROUP 3743**

**U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, etc.)

United States Patent Application Publication No. 2003/0000533, dated 01/02/03; entitled Breathing Assistance Apparatus; Inventor: Olsen et al.

United States Patent Application Publication No. 2002/0005201, dated 01/17/03; entitled Nasal Mask; Inventor: Graddon et al.

**EXAMINER**

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

PATENT

Serial No.: Not yet assigned

Filed: August 22, 2003

For: BREATHING ASSISTANCE  
APPARATUS

Applicant: Olsen et al.

Examiner: Not yet assigned

Art Unit: Not yet assigned

Attorney Ref: 1171/40069B/112B

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Date of Deposit: August 22, 2003

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Tiffany B. Sexton  
Tiffany B. Sexton

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Information Disclosure Statement and Form PTO-1449.

This Information Disclosure Statement is being filed concurrently with the continuation patent application on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

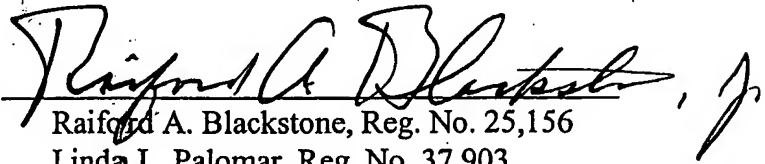
Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated

August 22, 2003

By:



Raiford A. Blackstone, Reg. No. 25,156

Linda L. Palomar, Reg. No. 37,903

TREXLER, BUSHNELL, GIANGIORGI,

BLACKSTONE & MARR, LTD.

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Chicago, Illinois 60603

(312) 704-1890



Case 112B  
1171/40069B

August 22, 2003  
RAB/LLP/tes

Applicant: OLSEN et al.  
Title: BREATHING ASSISTANCE APPARATUS

*continuation*  
NEW PATENT APPLICATION entitled BREATHING ASSISTANCE APPARATUS including: 8 specification pages; 3 claim pages; 1 Abstract page; 15 sheets informal drawings; Executed Declaration and Power of Attorney Form; Transmittal (in duplicate); Application Data Sheet; firm check in the amount of \$1546.00; Information Disclosure Statement; PTO-1449; 6 cited references; Preliminary Amendment; Certificate of Express Mailing; and this postcard. EXPRESS MAIL NO. EV326284705US

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*rule applied*

03915 U.S. PTO  
10/646434



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1171/40069B  
Case 112B

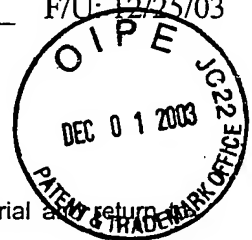
November 25, 2003  
RAB/LLP/tes

Serial No.: 10/646,434  
Filed: August 22, 2003  
Inventors: Olsen et al.  
For: **BREATHING ASSISTANCE APPARATUS**

Enclosed: **SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT; Form PTO-1449; 23 cited references; Certificate of First  
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